

**REMARKS**

Favorable reconsideration of this application, in light of the preceding amendments and following remarks, is respectfully requested.

Claims 1-6 are pending in this application. Claims 1-6 are amended. Claim 1 is the sole independent claim.

**SUMMARY OF EXAMINER INTERVIEW**

Initially, Applicants wish to thank Examiner Chen for his time during the telephone interview of July 9, 2009, the contents of which are summarized below.

During the interview, the rejection of independent claim 1 and proposed amendments to claim 1 were discussed. Also discussed were the inventive concept and the subject matter the Applicants are attempting to claim as the invention. The Examiner indicated that he understood the inventive concept but was of the opinion that the previously presented claims do not clearly disclose the specific use of personalization parameters to distinguish the application from the prior art.

The present amendment is being filed based on the Examiner's advice that the claims be amended to clarify the inventive concept and the subject matter regarded as the invention.

**REJECTIONS UNDER 35 U.S.C. § 112**

Claims 1-6 are rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter regarded as the invention. Applicants respectfully traverse this rejection for the reasons detailed below.

As shown in the preceding section, claims 1-6 have been amended to meet the requirements of 35 U.S.C. §112, second paragraph. Reconsideration and allowance of each of claims 1-6 is respectfully requested.

**REJECTIONS UNDER 35 U.S.C. §102**

Claims 1 and 3-6 are allegedly rejected under 35 U.S.C. §102(b) as being anticipated by US Patent Publication 2001/0020297 to Inoue ("Inoue"). Applicants respectfully traverse this rejection for the reasons detailed below.

Applicants submit that Inoue fails to teach or fairly suggest "the access conditions contained in the condition block are expressed in a form of **an operation described by a request in a structured language, the operation based on the access rights defined in the received authorization message, and at least one of a viewing history of the subscriber and at least one occasion based on information provided by the subscriber,**" as recited in independent claim 1. (Emphasis Added)

Inoue is directed to a simple concept of whether a transmitted program can be viewed and to easily recognize the contents of the program. The teachings of Inoue fail to anticipate and/or render obvious the limitations of independent claim 1.

Claims 3-6, dependent on independent claim 1, are patentable for the reasons stated above with respect to claim 1 as well as for their own merits.

Therefore, Applicants respectfully request that the rejection to claims 1 and 3-6 under 35 U.S.C. § 102(b) be withdrawn.

**REJECTIONS UNDER 35 U.S.C. § 103**

Claim 2 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Inoue. Applicants respectfully traverse this rejection for the reasons detailed below.

Claim 2, dependent on independent claim 1, is patentable for at least the reasons stated above with respect to claim 1 as well as for its own merits.

Therefore, Applicants respectfully request the Examiner withdraw the rejection under 35 U.S.C. § 103.

**CONCLUSION**

In view of the above remarks and amendments, the Applicants respectfully submit that each of the pending objections and rejections has been addressed and overcome, placing the present application in condition for allowance. A notice to that effect is respectfully requested.


Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Donald J. Daley at the telephone number of the undersigned below.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

HARNES, DICKEY, & PIERCE, P.L.C.

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